

Robert A. Shlachter, OSB No. 911718

Email: rshlachter@stollberne.com

Keil M. Mueller, OSB No. 085535

Email: kmueller@stollberne.com

STOLL STOLL BERNE LOKTING & SHLACHTER P.C.

209 S.W. Oak Street, Fifth Floor

Portland, Oregon 97204

Telephone: (503) 227-1600

Facsimile: (503) 227-6840

James Juo (Admitted *pro hac vice*)

Email: jjuo@fulpat.com

FULWIDER PATTON LLP

Howard Hughes Center

6060 Center Drive, Tenth Floor

Los Angeles, CA 90045

Telephone: (310) 824-5555

Facsimile: (310) 824-9696

Attorneys for Defendant Wai Lana Productions, LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

DIVISION OF PORTLAND

GOLDEN TEMPLE OF OREGON, LLC,
an Oregon limited liability company,

Case No. 3:09-CV-902-KI

Plaintiff,

v.

WAI LANA PRODUCTIONS, LLC,
a California limited liability company,

Defendant.

**DECLARATION OF JAMES JUO
IN SUPPORT OF DEFENDANT
WAI LANA PRODUCTIONS, LLC'S
OPPOSITION TO PLAINTIFF'S
MOTION TO DISMISS UNDER RULE
12(B)(6)**

WAI LANA PRODUCTIONS, LLC, a
California limited liability company,

Counterclaim/Interpleader-plaintiff,

v.

GOLDEN TEMPLE OF OREGON, LLC,
an Oregon limited liability company,

Counterclaim/Interpleader-defendant

WAI LANA PRODUCTIONS, LLC, a
California limited liability company,

Cross-claim/Interpleader-plaintiff,

v.

BIBIJI INDERJIT KAUR PURI, an
individual,

Cross-Claim/Interpleader-defendant.

I, James Juo, do hereby declare as follows:

1. I am an attorney with the law firm of Fulwider Patton LLP, and I am duly licensed to practice law in the state of California. I represent Defendant Wai Lana Productions, LLC in the above-identified matter. Unless otherwise indicated, I have personal knowledge of the facts stated herein, and, if called as a witness, could and would testify to the following matters.

2. On July 30, 2010, Tiffany Scott, counsel for Plaintiff Golden Temple of Oregon, LLC, contacted me for a meet-and-confer regarding Plaintiff's proposed motion to dismiss two of Wai Lana's counterclaims under Rule 12(b)(6). While discussing Wai Lana's counterclaim for cancellation of U.S. Registration No. 1,980,514 for the YOGI TEA trademark ("the YOGI TEA Registration"), I identified Paragraph 19 of Wai Lana's Counterclaim which cites 15 U.S.C. § 1052(a) and states that the YOGI TEA Registration should be cancelled for falsely suggesting a

connection with Yogi Bajan. Plaintiff's motion to dismiss was filed later that day, but did not address Counterclaim Paragraph 19 or 15 U.S.C. § 1052(a).

3. Attached as Exhibit A is a copy of the complaint, with attached exhibits, filed in the U.S. District Court for the Central District of California in connection with *Bibiji Inderjit Kaur Puri v. Golden Temple of Oregon, LLC*, No. 10-882 JFW.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 16, 2010

/s/ James Juo
James Juo

Surjit P. Soni (State Bar No. 127419)
M. Danton Richardson (State Bar No. 141709)
Leo E. Lundberg, Jr. (State Bar No. 125951)
THE SONI LAW FIRM
35 North Lake Ave., Suite 720
Pasadena, California 91101
(626) 683-7600 Telephone
(626) 683-1199 Fax

SURJ@SONILAW.COM
DANTON@SONILAW.COM
LEO@SONILAW.COM

Attorneys for Plaintiff,
BIBIJI INDERJIT KAUR PURI

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BIBIJI INDERJIT KAUR PURI, an
individual,

Plaintiff,

vs.

GOLDEN TEMPLE OF OREGON, LLC, an
Oregon Limited Liability
Corporation; DOES 1 through 10,
Defendants.

CASE NO.: *W10-882 JFW (VBS)*
COMPLAINT FOR:
1. FEDERAL STATUTORY AND COMMON
LAW TRADEMARK INFRINGEMENT
(15 U.S.C. §1051 et seq.);
2. FALSE DESIGNATION OF
ORIGIN (15 U.S.C. §1125(a));
3. VIOLATION OF SECTION 43(a)
OF THE LANHAM ACT;
4. UNFAIR COMPETITION;
5. UNFAIR TRADE PRACTICES (Cal.
Bus. and Prof. Code § 17200
et seq.);
6. IMPOSITION OF CONSTRUCTIVE
TRUST;
7. DECLARATORY RELIEF;
8. ASSIGNMENT OF TRADEMARK
APPLICATIONS AND
REGISTRATIONS TO ALL "YOGI"
AND "YOGI TEA" MARKS;
9. CANCELLATION OF REGISTERED
MARKS; AND
10. DETERMINATION THAT DEFENDANT
HAS NO RIGHT TO REGISTER
(15 U.S.C. §1119)

DEMAND FOR JURY TRIAL

COMPLAINT

1 Plaintiff, BIBIJI INDERJIT KAUR PURI, files this Complaint for
2 federal and common law trademark infringement, false designation of
3 origin, unfair competition, unfair trade practices, constructive
4 trust, for a judgement that Defendant, GOLDEN TEMPLE of OREGON,
5 LLC, does not own and has no right use or to register the "YOGI,"
6 "YOGI TEA" or any related or confusingly similar trademarks and for
7 an order compelling assignment of all such applications and
8 registrations to Plaintiff and other beneficiaries of the Yogi
9 Bhajan and Inderjit Kaur Puri Joint Living Trust, or their
10 cancellation, as follows:

11 **Jurisdiction and Venue**

12 1. The Court has subject matter jurisdiction over the claims
13 herein pursuant to 15 U.S.C. §1121, and 28 U.S.C. §1338(a), in that
14 all federal counts arise under the Trademark Laws of the United
15 States, 15 U.S.C. §1051 et seq. This Court has subject matter
16 jurisdiction over the state law counts under 28 U.S.C. §§ 1338(b)
17 and 1367(a) for state law claims that arise from the same facts and
18 circumstances as the federal claims upon which original
19 jurisdiction is based.

20 2. Plaintiff is informed and believes and thereon alleges
21 that venue is also proper in this Court under 28 U.S.C.
22 §1391(b)(2), in that a substantial part of the events or omissions
23 giving rise to the claim occurred in this District and Defendant
24 maintains a place of business in this District.

25 **The Parties**

26 3. Plaintiff BIBIJI INDERJIT KAUR PURI ("Plaintiff" or
27 "BIBIJI") is an individual residing in Los Angeles, California.

28 //

COMPLAINT

1 4. BIBIJI is informed and believes and thereon alleges that
2 Defendant GOLDEN TEMPLE OF OREGON, LLC ("Defendant" or "GTO") is an
3 Oregon Limited Liability corporation with a principal place of
4 business located at 2545 Prairie Road, Eugene, OR 97402. GTO also
5 maintains a place of business in this District.

6 5. Defendants, DOES 1 through 10, inclusive, are sued herein
7 under fictitious names. Their true names and capacities are
8 unknown to Plaintiff. Plaintiff will amend this Complaint when
9 their true names and capacities are ascertained. Plaintiff is
10 informed and believes and thereon alleges that each of the
11 fictitiously named Defendant are responsible in some manner for the
12 occurrences herein alleged, and that Plaintiff's damages as herein
13 alleged were proximately caused by each such Defendant.

14 6. Plaintiff is informed and believes and on that basis
15 alleges, that at all times herein mentioned, all Defendants herein,
16 whether named or fictitiously designated (hereinafter collectively
17 referred to as "Defendants"), were the agents, servants, employees,
18 joint venturers, and/or the alter egos of the remaining Defendants,
19 and the acts of each Defendant were within the course and scope of
20 their agency, service, employment, and with permission, consent,
21 and ratification of each other Defendant.

22 **Factual Background**
23 **Yogi Bhajan**

24 7. Yogi Bhajan was a charismatic spiritual leader and
25 successful entrepreneur who introduced Kundalini Yoga and Sikhism
26 to the United States. He was born Harbhajan Singh in what is now
27 Pakistan to a family of healers and community leaders. He studied
28 comparative religion and Vedic philosophy as an undergraduate and

COMPLAINT

1 went on to receive his Masters in Economics with honors from Punjab
2 University. He also earned a Ph.D. in communications psychology
3 from the University of Humanistic Studies in San Francisco.

4 8. Yogi BhaJan was a Master of Kundalini Yoga by the age of
5 16. In the late 1960s, he immigrated from India to Canada, and
6 then to the United States, in order to realize his vision of
7 bringing Kundalini Yoga to the West. He began by teaching
8 workshops, sharing the ancient wisdom of Ayurveda and healthy
9 living that he learned in India. Ayurveda is a system of
10 traditional medicine native to the India, which focuses on the use
11 of natural herbs, massage and yoga for healing and healthy living.

12 9. In response to the drug culture of the 60s, Yogi reached
13 out to youth and taught them the peaceful, inner euphoria they
14 could get naturally from Kundalini Yoga. As a result, young people
15 began flocking to his classes, arriving in busloads. Yogi BhaJan
16 created a family, known as 3HO (Healthy, Happy, Holy Organization)
17 and soon 3HO teaching centers began springing up throughout the
18 United States and across the world, growing to over 300 centers in
19 35 countries. 3HO was founded on Yogi BhaJan's premise that every
20 human possessed the birthright to be healthy, happy and holy.

21 10. Yogi BhaJan grew to be internationally known as a
22 religious, community and business leader with a distinguished
23 reputation as a man of peace, world-vision, wisdom, and compassion.
24 In 1971, he was designated the Siri Singh Sahib, or the Sikh leader
25 in the Western Hemisphere. As the Siri Singh Sahib, he discussed
26 inter-religious dialogue with Pope John Paul II and also worked
27 side-by-side with the Archbishop of Canterbury and the Dalai Lama
28 to foster world peace.

COMPLAINT

1 11. Yogi Bhaian wrote and published over 30 books on topics
2 ranging from consciousness and spirituality to communication and
3 psychology. He also founded several companies, including Defendant
4 GTO, to manufacture and distribute natural products based on his
5 teachings. Yogi Bhaian and his teachings have received extensive
6 media coverage and are well known throughout the United States and
7 the world.

8 12. Yogi Bhaian passed away on October 6, 2004 at the age of
9 75.

10 Yogi Tea

11 13. Beginning around 1969, after his classes, Yogi Bhaian
12 would serve his students a special spiced tea he developed based
13 upon the healing principles of Ayurveda, which his students began
14 affectionately calling "Yogi Tea," referring to the tea that he,
15 Yogi Bhaian had developed.

16 14. In or around 1984, with Yogi Bhaian's encouragement and
17 assistance, some of his students formed a company to market and
18 sell this "Yogi Tea." Yogi Bhaian granted the company, which was
19 originally known as the Yogi Tea Company, a license to use his name
20 and likeness and the trademark "Yogi Tea" to market teas based on
21 formulas developed by Yogi Bhaian.

22 15. Defendant GTO is a successor to the Yogi Tea Company and,
23 in turn, also licensed the right to use Yogi Bhaian's name and
24 likeness, including the "Yogi" and "Yogi Tea" marks (collectively
25 referred to as the "YOGI MARKS"). Since at least as early as 1998,
26 GTO used Yogi Bhaian's image on its packaging, its websites and
27 sales and marketing materials heralding that the "Yogi behind Yogi
28 Tea is Yogi Bhaian...." Attached hereto as Exhibit "A" is a true

COMPLAINT

1 and correct copy of "archive" pages from the "yogitea.com" website
2 from 1998 and thereafter reflecting such uses and acknowledging the
3 origins of "Yogi Tea."

4 16. The license provides that GTO is authorized by virtue of
5 the license to use Yogi Bhajan's image and sayings and his name and
6 all names or terms by which he is known (collectively referred to
7 as the "Licensed marks") in connection with the sales of certain
8 goods, including teas. The Licensed marks include "Yogi Tea."

9 17. The License was renewed and extended repeatedly until it
10 was replaced with a new license in 2004 with a term of 75 years
11 providing the same scope of license to use the Licensed Marks.

12 18. At the end of 2008, GTO announced it had ceased use of
13 Yogi Bhajan's name and likeness. GTO claimed to have terminated
14 the license and ceased paying royalties due under the License.
15 Consequently, GTO no longer has any right to use the Licensed
16 Marks, including the "Yogi Tea" mark.

17 19. In fact, GTO continued to use the "Yogi Tea" Licensed
18 Mark, and still uses it today without authorization from the owners
19 of the mark. GTO has also expanded the use of the Yogi mark to
20 cereals without authority or compensation to the owners of the
21 mark. This action concerns all infringing conduct post
22 termination.

23 20. Yogi Bhajan and his wife, Plaintiff BIBIJI, created a
24 joint living trust which thereafter owned and controlled the
25 trademark rights and other intellectual property of Yogi Bhajan.
26 After Yogi Bhajan's death, this trust was terminated with BIBIJI
27 receiving her fifty percent (50%) interest in and to the trust

28 //

COMPLAINT

1 assets, including the trademarks and other intellectual property
2 rights related to Yogi BhaJan.

3
4 **COUNT I**
5 **FEDERAL STATUTORY AND**
6 **COMMON LAW TRADEMARK INFRINGEMENT**

7 21. BIBIJI hereby realleges, as if fully set forth, the
8 allegations of paragraphs 1 through 20, inclusive.

9 22. Upon information and belief, Defendants are now
10 committing the illegal activities alleged above, have indicated
11 their intention to and will continue to do them.

12 23. Defendants recklessly and/or with actual knowledge of
13 BIBIJI's rights continues to market and sell products using the
14 YOGI trademarks and trade dress belonging to BIBIJI.

15 24. As a direct and proximate result of Defendants' illegal
16 activities, BIBIJI has suffered serious damage and unless
17 Defendants are restrained from continuing their wrongful acts, the
18 damage to BIBIJI, which is irreparable, will increase.

19 25. The aforesaid acts of Defendants constitute trademark
20 infringement in violation of BIBIJI's rights at common law and
21 under the Federal Lanham Act.

22 26. BIBIJI has no adequate remedy at law.

23 **COUNT II**
24 **FALSE DESIGNATION OF ORIGIN**
25 **(15 U.S.C. §1125(a))**

26 27. BIBIJI hereby realleges, as if fully set forth, the
27 allegations of paragraphs 1 through 26, inclusive.

28 28. Plaintiff is informed and believes, and based thereon
alleges, that Defendant's acts alleged above have constituted a

COMPLAINT

1 false designation and description as to the origin, quality, and
2 characteristics of Defendant's goods and/or services to be sold and
3 performed under the YOGI MARKS.

4 29. Upon information and belief, Defendant's use, and the
5 continuation of such use, of the YOGI MARKS has and will further
6 damage Plaintiff's trademark and its exclusive association with
7 Plaintiff, will harm Plaintiff's reputation, and will damage
8 Plaintiff's goodwill.

9 30. Defendant's past and intended acts constitute false
10 designations and/or descriptions of origin in violation of
11 Plaintiff's rights under Section 1125(a) of Title 15 of the U.S.
12 Code (also referred to as Section 43(a) of the Lanham Act).

13 31. Upon information and belief, unless Defendant is
14 immediately restrained from undertaking these wrongful acts, the
15 damage to Plaintiff, which is irreparable, will increase.

16 32. Plaintiff has no adequate remedy at law.

17
18 **COUNT III**
19 **VIOLATION OF SECTION 43(a) OF THE LANHAM ACT**

20 33. BIBIJI hereby realleges, as if fully set forth, the
21 allegations of paragraphs 1 through 32, inclusive.

22 34. Defendants' acts alleged above constitute a false
23 designation and description as to the origin, quality, and
24 characteristics of Defendants' goods and services to be sold and
25 performed under the designation.

26 35. Upon information and belief, Defendants acted recklessly
27 and/or with actual and/or constructive knowledge of BIBIJI's

28 //

COMPLAINT

1 trademark rights and with knowledge that Defendants' acts
2 constitute a false designation and description as alleged above.

3 36. Defendants' acts constitute false designations and/or
4 descriptions of origin in violation of BIBIJI's rights under
5 Section 1125(a) of the Trademark Act of 1946 (Section 43(a) of the
6 Lanham Act; 15 U.S.C. § 1051, et. seq.)

7 37. Unless Defendants are immediately restrained from
8 continuing its wrongful acts, the damage to BIBIJI, which is
9 irreparable, will increase.

10 38. BIBIJI has no adequate remedy at law.

11
12 **COUNT IV**
13 **UNFAIR COMPETITION**

14 39. Plaintiff repeats, as if fully set forth herein, the
15 allegations set forth in paragraphs 1 through 38.

16 40. Upon information and belief, Defendant has committed acts
17 of unfair competition and has traded upon Plaintiff's valuable
18 goodwill in violation of the common law of the State of California.
19 Upon information and belief, Defendant has been unjustly enriched
20 by its acts of unfair competition.

21 41. Upon information and belief, Defendant has intentionally
22 misappropriated the commercial value of Plaintiff's trademark, has
23 unlawfully acted to damage the source-identifying quality of
24 Plaintiff's trademarks, and has created circumstances which
25 adversely affect the value of Plaintiff's goodwill and reputation.

26 42. Plaintiff is informed and believes, and thereupon
27 alleges, that the acts alleged above were willful, fraudulent,
28 malicious and oppressive and were undertaken with the intent to

COMPLAINT

1 harm BIBIJI, or were done with reckless disregard of BIBIJI's
2 rights, and justify the awarding of punitive damages so as to set
3 an example and to deter others from engaging in such conduct.

4 43. Plaintiff has suffered, is suffering, and will continue
5 to suffer irreparable injury for which Plaintiff has no adequate
6 remedy at law.

7

8

9

COUNT V
UNFAIR TRADE PRACTICES
(Cal. Bus. and Prof. Code §17200 et seq.)

10 44. Plaintiff repeats, as if fully set forth herein, the
11 allegations set forth in paragraphs 1 through 43.

12 45. Upon information and belief, Defendant has engaged in
13 acts of statutory unfair competition as defined in California
14 Business and Professions Code Section 17200, including unfair and
15 fraudulent business practices.

16 46. Plaintiff is entitled to an injunction under California
17 Business and Professions Code Section 17203 enjoining Defendant
18 from engaging in its unlawful acts, and restoration of any money or
19 property which Defendant acquired through its acts of unfair
20 competition.

21 47. BIBIJI and the public have no adequate remedy at law and
22 therefore ask that GTO be enjoined from such false advertising.

23

24

COUNT VI
IMPOSITION OF CONSTRUCTIVE TRUST
(California Civil Code § 2224)

25

26 48. BIBIJI hereby realleges, as if fully set forth, the
27 allegations of paragraphs 1 through 47, inclusive.

28 //

COMPLAINT

1 49. By reason of the wrongful acts of GTO as set forth above,
2 GTO is an involuntary trustee of all rights and good will
3 associated with the YOGI MARKS, together with all income or funds
4 received by GTO from its wrongful acts.

5 50. GTO should be required to turn over all such income or
6 funds unlawfully obtained.

7
8 **COUNT VII**
9 **DECLARATORY RELIEF**

10 51. BIBIJI hereby realleges, as if fully set forth, the
11 allegations of paragraphs 1 through 50, inclusive.

12 52. An actual controversy exists between BIBIJI and
13 Defendants in that Defendants contend that they own and/or control
14 the exclusive right to use the YOGI MARKS in relation to teas and
15 cereals, and other unspecified products as well, whereas BIBIJI
16 contends that she owns the YOGI MARKS.

17 53. A justiciable controversy exists concerning whether
18 Defendants or BIBIJI owns and controls the YOGI MARKS.

19 54. BIBIJI requests that the Court issue a judgment declaring
20 that BIBIJI is the owner of the YOGI MARKS and that Defendants have
21 no right to advertise, offer for sell or sell any products or
22 services using the YOGI MARKS, or any mark confusingly similar
23 thereto, and that Defendants shall assign to BIBIJI all rights,
24 title and interest to any marks, registered or otherwise, acquired
25 under license from BIBIJI's predecessor in interest, Yogi Bhajan.

26 //

27 //

28 //

COMPLAINT

COUNT VIII
ASSIGNMENT OF TRADEMARK APPLICATIONS AND REGISTRATIONS
TO ALL YOGI MARKS

55. Plaintiff repeats, as if fully set forth herein, the allegations set forth in paragraphs 1 through 54.

56. Defendant has applied in the U.S. Patent and Trademark Office ("USPTO") to register the YOGI trademark in International Class 30 for "Granola; granola snacks; granola based snack bars; ready to eat, cereal-derived food bars." See Exhibit "B." Defendant's application is an "intent to use" application, which acknowledges that Defendant had not yet used the mark as of the filing date of December 9, 2009, long after the public came to associate the YOGI mark with YOGI BHAJAN.

57. Defendant has also applied in the USPTO to register the YOGI trademark in International Class 30 for "processed cereal-based food to be used as a breakfast food, snack food, or ingredient for making other foods." See Exhibit "C." Defendant's application is an "intent to use" application, which acknowledges that Defendant had not yet used the mark as of the filing date of December 18, 2009, long after the public came to associate the YOGI mark with YOGI BHAJAN.

58. Defendant has also applied in the USPTO to register the YOGI trademark in International Class 30 for "Tea and ready-to-drink tea." See Exhibit "D." Defendant's application declares that Defendant first used the YOGI mark in commerce on such goods on December 26, 2008, long after the public came to associate the YOGI mark with YOGI BHAJAN.

59. Defendant also applied in the USPTO and obtained registration of the YOGI TEA trademark in International Class 30

COMPLAINT

1 for "Tea." Exhibit "E." Such registration issued on May 27, 2008
2 as Registration No. 3435101. The registration declares that
3 Defendant first used the YOGI TEA mark in commerce was on tea on
4 April 9, 2007, long after the public came to associate the YOGI
5 mark with YOGI BHAJAN.

6 60. Defendant (or Defendant's predecessor) also applied to
7 the USPTO and obtained registration of the YOGI TEA trademark in
8 International Class 30 for "Tea." Exhibit "F." Such registration
9 issued on June 18, 1996, as Registration No. 1980514. The
10 registration declares that Defendant first used the YOGI TEA mark
11 in commerce on tea on March 8, 1983, long after the public came to
12 associate the YOGI mark with YOGI BHAJAN.

13 61. As set forth above, Defendant has no right to use the
14 YOGI MARKS or any marks confusingly similar thereto. Nonetheless,
15 Defendant has filed the foregoing applications to register the YOGI
16 MARKS, and has wrongfully obtained registrations for the YOGI TEA
17 mark.

18 62. Based on Defendant's wrongful registration of the YOGI
19 TEA trademark and applications to register the YOGI MARKS as set
20 forth above, this Court should order immediate assignment of such
21 registrations and applications to their rightful owner, Plaintiff,
22 the successor in interest to Yogi Bhajan.

23
24 **COUNT IX**
25 **DETERMINATION THAT DEFENDANT HAS NO RIGHT TO REGISTER**
(15 U.S.C. §1119)

26 63. Plaintiff repeats, as if fully set forth herein, the
27 allegations set forth in paragraphs 1 through 62.

28 //

COMPLAINT

1 64. As set forth above, Defendant has no right to use the
2 YOGI MARKS or any marks confusingly similar thereto. Nonetheless,
3 Defendant has filed applications to register the YOGI MARKS.

4 65. The YOGI MARKS Defendant's applications seeks to register
5 is identical in sight, sound and meaning as the YOGI MARKS as used
6 by and associated with YOGI BHAJAN.

7 66. Plaintiff will be irreparably damaged if Defendant is
8 permitted to obtain a registration for the foregoing YOGI MARKS.

9 67. This Court should issue an order directing the USPTO to
10 refuse registration of the YOGI trademarks sought by Defendant on
11 either the primary or supplemental register of the USPTO pursuant
12 to 15 U.S.C. §1119.

13
14 **COUNT X**
15 **CANCELLATION OF REGISTERED MARK**
(15 U.S.C. §1119)

16 68. Plaintiff repeats, as if fully set forth herein, the
17 allegations set forth in paragraphs 1 through 67.

18 69. Defendant has no right to use the YOGI MARKS or any marks
19 confusingly similar thereto. Defendant has obtained registrations
20 the YOGI MARKS which are identical in sight, sound and meaning as
21 the YOGI MARKS as used by and associated with YOGI BHAJAN.

22 70. Plaintiff will be irreparably damaged if Defendant is
23 permitted to maintain the registrations for the foregoing YOGI TEA
24 MARKS.

25 71. This Court should issue an order directing the USPTO to
26 cancel Defendant's registrations for YOGI TEA, and any other YOGI
27 MARKS.

28 //

COMPLAINT

PRAYER FOR RELIEF

Wherefore, BIBIJI prays:

1. That Defendants be found liable to Plaintiff for Defendants' infringement of Plaintiff's YOGI MARKS.
2. That this Court issue an injunction prohibiting Defendants, and all persons in active concert with Defendants, from infringing Plaintiff's YOGI trademark by the use of YOGI MARKS or any confusingly similar names or designations.
3. That this Court award Plaintiff up to treble damages against Defendants in view of its willful conduct.
4. That this Court award punitive and exemplary damages against Defendants and in favor of Plaintiff.
5. That Plaintiff be awarded an amount to be determined for corrective advertising to allow for the recapture of the source-identifying function of Plaintiff's marks and trade dress.
6. That Defendants, their directors, and officers, agents, servants, employees and all other persons in active concert or privity or in participation with them, be enjoined from making and disseminating the false and misleading statements as set forth herein or otherwise committing any acts of unfair competition.
7. Directing Defendants to pay to Plaintiff all gains, profits, and advantages, and to turn over all trademark, trade dress and other rights, derived by Defendants from the aforesaid unfair trade practices, unfair competition and violations of Cal Civil Code § 2224.

//

COMPLAINT

- 1 8. Directing restitutionary damages for Defendants' violations of
- 2 Cal. Bus. & Prof. Code §17200 et. seq., including the
- 3 appointment of a Receiver, if necessary.
- 4 9. That this Court order immediate assignment of Defendant's
- 5 registrations for YOGI TEA and applications to register YOGI,
- 6 and any other YOGI MARKS to their rightful owner, Plaintiff,
- 7 the successor in interest to Yogi Bhajan.
- 8 10. That this Court issue an order directing the USPTO to refuse
- 9 registration of the YOGI trademarks sought by Defendant on
- 10 either the primary or supplemental register of the USPTO
- 11 pursuant to 15 U.S.C. §1119.
- 12 11. That this Court issue an order directing the USPTO to cancel
- 13 Defendant's registrations for YOGI TEA, and
- 14 12. That costs of this action be awarded Plaintiff.
- 15 13. That Plaintiff be awarded both prejudgment and post-judgment
- 16 interest on each and every damage award.
- 17 14. That this Court determine that this is an exceptional case and
- 18 that Plaintiff be awarded its reasonable attorney fees.
- 19 15. That this Court grant such other and further relief as it
- 20 shall deem just and proper.

21 Dated: February 5, 2010 THE SONI LAW FIRM

22
23 By: 

24 Surjit P. Soni
25 M. Danton Richardson
26 Attorneys for Plaintiff,
27 BIBIJI INDERJIT KAUR PURI
28

COMPLAINT

DEMAND FOR JURY TRIAL

Plaintiff BIBIJI hereby demands a jury trial in the above-entitled action.

Dated: February 5, 2010 THE SONI LAW FIRM

By: 

Surjit P. Soni
M. Danton Richardson
Attorneys for Plaintiff,
BIBIJI INDERJIT KAUR PURI

COMPLAINT

**KINSELLA
WEITZMAN
ISER
KUMP &
ALDISERT LLP**

FACSIMILE TRANSMISSION

February 4, 2010

NAME/COMPANY	TELEPHONE	FACSIMILE
Surjit P. Soni THE SONI LAW FIRM	626.683.7600	626.683.1199

FROM: Alan Kossoff
RE: Soni Law Firm, et al. v. Marilyn Monroe LLC
FILE NO.: 10306-00002
PAGES: 2 (including cover page)
ORIGINAL: Will Not be Sent
MESSAGE:

10306.00002/50263.1

If You Do Not Receive All Pages, Please Call 310.566.9814

CONFIDENTIALITY NOTICE

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS. THANK YOU.





Alan Kossoff

Direct Dial: (310) 566-9805

Direct Fax: (310) 566-9875

E-Mail: akossoff@kwikalaw.com

File Number: 10306-00002

February 4, 2010

VIA FACSIMILE (626.683.1199)

Surjit P. Soni
THE SONI LAW FIRM
35 North Lake Avenue, Suite 720
Pasadena, CA 91101

Re: Soni Law Firm, et al. v. Marilyn Monroe LLC; Case No. BS124333

Dear Mr. Soni:

I am writing to confirm our telephone conversation yesterday. As I informed you, it does not appear that Marilyn Monroe LLC was properly served with the complaint in the above matter. Please provide us with a copy of the proof of service.

In addition, this will confirm that even though it appears that Marilyn Monroe LLC was not properly served with process, I stated that I would agree to accept service and respond to the complaint if you provided a 15-day extension. You refused to do so.

Accordingly, please provide us with a copy of the proof of service so we can determine if service was proper and any other deadlines.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Al Kossoff'.

Alan Kossoff

AK/bdp

cc: Howard Weitzman

10306-00002/50262.1

808 Wilshire Boulevard, 3rd Floor, Santa Monica, California 90401 | Telephone: 310.566.9800 | Fax: 310.566.9850 | Website: www.kwikalaw.com

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

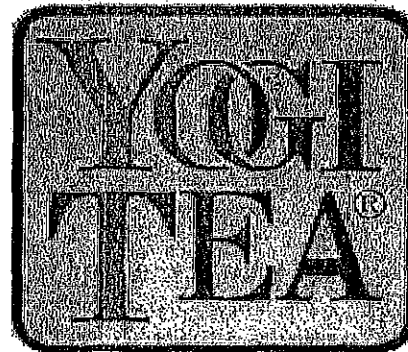
Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

Yogi Tea Home Page

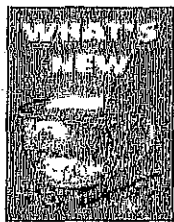
Yogi Bhojan



12/02/1998
yogitea.com
The Wayback
Machine

The Yogi Tea Company manufactures delicious beverage teas and medicinal herbal teas known as Ancient Healing Formulas, all based on the Ayurvedic Tradition from India.

Please browse this site to find out more about our extensive lines of herbal teas.



Click on either of these two icons to view more about these lines of herbal teas.



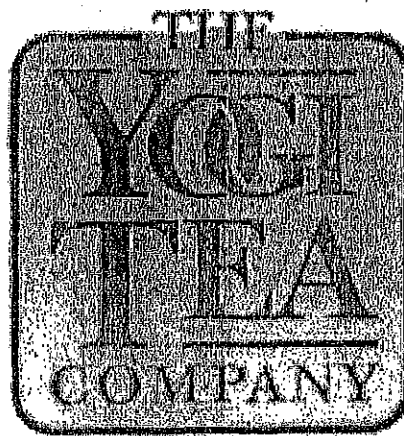
© Copyright 1998 The Yogi Tea Company

Revised: November 17, 1998

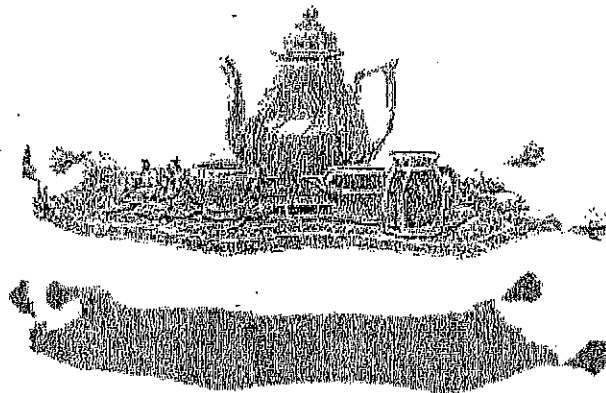
2/11/1998

yogitea.com

The Wayback Machine

*Presents:*

YOGI TEA~six unique flavors delicately balanced to lift your spirit while it soothes your body and soul. Start with the rich memory of vanilla and let it transport you to an azure-sky day fading into evening on the shores of a tropical sea. This is the inspiration of YOGI TEA. Then consider the lingering spiciness of cinnamon, and envision its origins within the mysterious valleys of the tranquil Himalayas. It's here~captured in our all-natural herbal blends, made with the finest ingredients from around the world.



Tahitian Vanilla ~ When the brave sea captains found the lush, tropical islands of the South Seas, they also discovered the world's most fragrant, flavorful vanilla beans. We blend this Tahitian Vanilla with treasured spiced for a tea with unmatched richness and the smooth taste of a tropical

paradise.

- Increases circulation
- Regulates menstruation
- Enhance digestion
- Decreases gas
- Adrenal builder
- Anti-inflammatory
- Soothe digestive membranes



Egyptian Licorice ~ The great kings of Egypt treasured the "magical" licorice root for its natural sweetness, deep rich flavor and healthful properties. No licorice treat is more delicious or satisfying than our Egyptian Licorice Tea, a blend of selected herbs, spices and natural flavorings from Egypt and around the globe.

- Soothe digestive membranes
- Anti-inflammatory
- Enhance digestion
- Decreases nausea
- Increases circulation
- Release sinus congestion



Hazelnut Cream ~ From the cafés of Italy come the rich, nutty flavors of our Hazelnut Cream Tea. Its blend of fine hazelnut cream and aromatic spices will transport you to that Italian café with its wonderful desserts, joining Europe's most enthusiastic lovers of luscious food and drink.

- Increases circulation
- Soothe digestive membranes
- Anti-inflammatory
- Liver detox/protector
- Hormone balance



Cinnamon Spice ~ In ancient India, sweet, aromatic cinnamon, spicy ginger root, fragrant cardamom, delicate black pepper and fine tea leaves graced the warm valleys and Himalayan hills. Our original Cinnamon Spice Tea blends these herbs and spices, imported from all over the globe in a uniquely invigorating brew.

- Increases circulation
- Decreases joint stiffness
- Enhance digestion
- Liver detox, protector
- Decreases gas, decreases nausea



Maple Royale ~ In the early spring, the northern woods are scented with fragrant steam from the maple sugar houses. We've captured this sweet, distinctive taste of real maple in our Maple Royale Tea. Fine cinnamon and cardamom are combined with pure maple for a delicious royal blend.

- Increases circulation
- Liver detox/protector
- Joint stiffness
- Respiratory tonic
- Decongest respiratory



Mango Passion ~ Mango and Passion Fruit have delighted palates with their sweet, heavenly flavor since India first recorded its passion for mangoes 4,000 years ago. Our Mango Passion Tea combines the finest natural flavors and essences with subtle herbs and spices to create a taste and aroma even the gods could not resist.

- Increases circulation
- Tonify uterus

- Antioxidant
- Anti-inflammatory
- Diabetes
- Respiratory tonic
- Enhance digestion

Nature has truly been kind to us, providing the wonderful herbs and spices for my Yogi Tea formulations, based on the traditions of ancient India and Ayurveda. Since I was young, I have taught about improving life with the right foods, herbs and the exercises of yoga. Now these benefits are deliciously available to you in Yogi Tea.

It's my pleasure to create these teas for you; enjoy them as a gift from nature and from me.

Yogi Bhajan

The Ayurvedic Institute - Yoga Center - The Herbal Laboratory -
Contact by E-mail - Yogi Tea - Ancient Healing Formulas - Food For Thought -Yogi
Bhajan Home Page

The Yogi Behind Yogi Tea

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan

Yogi Bhanan was born in what is now Pakistan, to a family of healers, and community leaders. At age seven he began to study with the great yogis, healers and Ayurvedic masters of the region and eventually became a master of these ancient practices himself. He graduated from Punjab

University in 1952 with a Master's degree in Economics. In 1953 he married Bibiji Inderjit Kaur, and together they have raised three children. He went on to work as an officer in the service of the Indian Government until 1967.

In 1968 Yogi Bhanan began to teach the science and technology of Kundalini Yoga, Ayurveda, meditation, and healthy living in America. He established the 3HO (Healthy, Happy, Holy Organization) Foundation in 1969. This non-profit foundation promotes happiness, health, and union with the soul as the birthright of every human being. Today 3HO is a world-wide association of people with over 300 centers in 38 countries. The 3HO Foundation is a Non-Government Organization (NGO) in Consultative Status (Roster) with the Economic and Social Council of the United Nations.

In 1980 Yogi Bhanan earned his Ph.D. in

Psychology. He spends much of his time counseling people from all walks of life. He lectures and teaches extensively on the topics of health, healing, relationships, and spirituality.

He also serves as the Siri Singh Sahib, Chief Religious Authority for the Sikhs of the Western Hemisphere. As an ambassador of inter-religious dialogue, he is the Co-President of the Human Unity Conference and works with religious leaders and organizations world-wide.

Yogi Bajan has also authored over 30 publications on varied topics including religion, spirituality, business, health, and psychology. He has been affectionately called the "Father of the Woodstock Nation." He hosts several camps and events each summer in his home state of New Mexico, including International Peace Prayer Day. He is a significant contributor to the political and economic welfare of the region and has been a trusted personal advisor to every New Mexico Governor since 1970.

In the early 70's Yogi Bajan encouraged his students to start businesses like Yogi Tea to make products which could help people live healthier and happier lives. Today that vision has become KIIT. Yogi Bajan is a good and trusted advisor to us, and to all. His favorite saying is, "If you cannot see God in all, you cannot see God at all."



For more about Yogi Bhajan follow this link.

Home Page • [History](#) • Yogi Teas • Ancient Healing Formulas •
Newsletter • Ingredients • International • Organics
[Feedback](#) • [Yoga](#) • [Yogi Bhajan](#) • [Resources](#) • [Other Products](#) •
KIIT • Ayurveda • Where to Buy • What's New

© Copyright 1998 The Yogi Tea Company

Revised: November 17, 1998

CL 1814217123 887

YogiTea.com logo

YogiTea.com logo

YogiTea.com

YogiTea.com logo

YogiTea.com logo

YogiTea.com logo

YogiTea.com

YogiTea.com

YogiTea.com

YogiTea.com

YogiTea.com

YogiTea.com

YogiTea.com

YogiTea.com

YogiTea.com

YogiTea.com

The History of Yogi Tea

In 1969, Yogi Bhanan came to the United States and began teaching Kundalini Yoga. His lectures and courses covered not only yoga and meditation, but also the ancient science of Ayurveda that uses nutrition, herbs, and other arts to keep the body, mind and spirit healthy. After each class, Yogi Bhanan would serve an aromatic spice tea to his students, which they affectionately named "Yogi Tea." In time, this uniquely-flavored tea was served in the Golden Temple Vegetarian Restaurants that sprouted in the US and Europe during the early 70's.

Yogi Tea became a hit with the customers because of it's delicious taste and tonic-like affects. In response to such a positive demand, the Golden Temple Restaurants began to package and sell the tea to local natural food stores. This grass roots endeavor blossomed into the Yogi Tea Company.

☒ Illustration of Yogi Tea
Spices

By 1986, we had developed three flavors of Yogi Tea which commanded a strong following in both the United States and Europe. In 1988, we introduced the first four Ancient Healing Formula teas. Created by Yogi Bhanan and his team of Ayurvedic experts, this line used highly

specialized herbal formulas to maintain and support the vitality and health of the body. Currently, the Yogi Tea line of beverage teas has six flavored varieties, including the original recipe. In addition, we produce and distribute over 30 Ancient Healing Formula Teas to meet a variety of health needs..

Organic Ingredients

In 1991, we joined with our sister company, Yogi Tea of Europe, to develop sources of organic ingredients for our teas. However, we had no idea of the challenge that lie in wait. Reliable, abundant, and quality sources of organic herbs and spices were impossible to find. In the spirit of self-reliance, we looked into creating a supply on our own. Seven years later, through a cooperative effort between non-profit organizations, indigenous peoples and Yogi Botanicals (our sister nutraceutical company), herbs and spices are being cultivated in sustainable, socially-positive communities across the world. Tribal farmers trained in organic techniques provide our company with spices like lemon grass and black peppers. One of our most successful cooperatives thrives in the rainforest of Sumatra, Indonesia. There, local farmers cultivate organic Cassia Cinnamon using methods that support the local environment, not decimate it.

Organic farming offers a number of benefits to consumers, farmers, and the environment. Organic techniques rely on the environment's natural cycles to replenish the richness of the soil. Since rich soil

yields strong, pest-resistant crops, farmers do not need chemical fertilizers and pesticides. This creates a healthy work environment for the farmers. These techniques also maintain topsoil integrity, reduce the amount of chemical run-off into lakes, streams and ground water, and (most important) provide the consumer with food that is all-natural and chemical-free.

It gives us a great deal of joy and satisfaction to know that in bringing you, the customer, quality organic ingredients, we are also helping indigenous communities maintain their economic independence.

Where We're Going

The Yogi Tea Company is reported to be the fastest growing tea company in the 14 billion dollar a year Natural Foods Industry (SPINS, 1997). Over 5000 natural food stores in America, Canada, Europe, Africa, Asia, Russia and Australia feature our Yogi Teas and Ancient Healing Formula teas. We are committed to continuing our 25-year tradition of providing our customers with the highest quality Ayurvedic teas, and look forward to introducing more delicious, health-conscious products in the future.

The Yogi Tea Company is a member of the family of companies that comprise Khalsa International Industries and Trades (KIIT). For over 25 years, these companies have applied conscious values and principles in business. Through shared systems, management, marketing and strategies, we are working to pioneer a legacy of quality services,

products and mutual excellence.

Home Page • History • Yogi Teas • Ancient Healing Formulas •
Newsletter • Ingredients • International • Organics
Feedback • Yoga • Yogi Bhajan • Resources • Other Products •
KIIT • Ayurveda • Where to Buy • What's New

© Copyright 1998 The Yogi Tea Company

Revised: November 17, 1998

7/18/04
yogitea.com
The Wayback
Machine



What's New

New Woman's Healing Formulas
Carefully formulated organic teas for the special needs of a woman's body. [more](#)

Innovative Website
Discover our interactive website features. [more](#)



Cooling Summer Recipes
Stay cool and healthy with these delicious treats. [more](#)



Increase mental alertness with Maté
A South American traditional healing herb does it all. [more](#)



Sun Safety
Enjoy the healthy rays of the sun but remember not to overdo a good thing! [more](#)

Greet the Summer with an Exotic Experience

Let our exotic teas take you on a journey down the golden sunlit Nile, across the endless green plains of Argentina or along the tropical beaches of Hawaii. Enjoy the sweet licorice refreshment of Egyptian Licorice Mint, savor the unique smoky flavor of Andes Yerba Maté or delight in the strawberry-citrus accented Hibiscus Paradise. Cool off with one of our iced exotic blends and don't forget to offer them at summer gatherings!



Find The Appropriate Healing Formulas!
Try our easy to use Find-Your-Tea to choose the best Healing Formulas for your needs. Select a category and your health concern, and our herbal masters will suggest soothing solutions.



Glorious Hibiscus

Gorgeous and brightly colored, the hibiscus flower is a glorious inhabitant of the tropical islands of the South Pacific and many other areas of the world. A native of southern China, the

original wild hibiscus was a lovely small pink flower. The Chinese royal court was delighted with this special bloom and cultivated many unique colorful varieties. [more](#)

What's New

Hawaiian Luau

Celebrate summer with a luau and learn more about this ancient Hawaiian tradition at <http://web.archive.org/web/20040708054438/http://www.hawaii-luau.com/>.

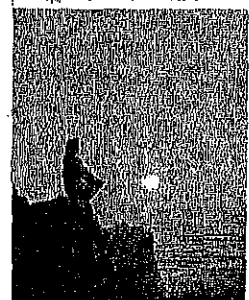
Natural Nutty Candy Bar

Discover a delicious candy bar, smothered in caramel and wrapped in outrageous

What's New

Which of the statements about vegetarian diets is false?

- ☐ Vegetarian diets can be very high in cholesterol.
- ☐ Vegetarian diets don't contain enough protein.
- ☐ Vegetarian diets are low in fat.
- ☐ In general, vegetarian diets are





Sounds of Yogi Tea
Let the gentle sounds of
peace renew your spirit
with this beautiful CD from
Yogi Tea. more

stripes at
<http://web.archive.org/web/20040708054438/http://www.whaguruchew.com/>

healthier.



*Your body is the temple of God. Your
soul is the spirit of God. Your mind
is the flow of God. -Yogi Bhaish*

*Increase Mental
Acuity*

Keep yourself focused and
alert through the busy
hours of your day with this
simple 3 minute
meditation. more

[Privacy Policy](#) • [Disclaimer](#) • [Links](#) • [Site Map](#) • [Yogi Tea Europe](#) • ©2004 Yogi Tea. All Rights Reserved.



Yogi Tea Philosophy

Create yogically inspired quality herbal teas that balance and heal.

Support the health and future of the planet by using organic ingredients and recycled materials.

Share the knowledge with our customers and inspire them to become healthier and happier.

Develop a conscious working atmosphere where each individual can develop his or her creative potential in order to enhance the prosperity of the company and achieve personal fulfillment and satisfaction.

About Us

As you may have guessed, there really is a "yogi" behind Yogi Tea. In 1969 Yogi Bhajan began teaching Kundalini Yoga in America, sharing the ancient wisdom of Ayurveda and healthy living that he had mastered



Yogi Bhajan, the "yogi" behind Yogi Tea

in India. After each class he would serve his students a special spice tea based upon this healing science, which they affectionately named Yogi Tea.

Soon, Yogi Bhajan's students opened **Golden Temple Vegetarian Restaurants** in the US, Canada, and Europe. The delicious, rich and spicy aroma of Yogi Tea brewing permeated the environment and every customer who enjoyed the tea wanted to make their own cup of Yogi Tea at home. Through these Golden Temple restaurants, the first batches of Yogi Tea were sold to the public. In 1984 this grassroots endeavor blossomed into **The Yogi Tea Company** and Yogi Tea began to appear on Natural Foods Store shelves throughout the country.

Yogi Bhajan taught that businesses based on respect for the divinity in all beings could lead to real and lasting change. Developing work environments that focused on the growth of each individual's potential as much as on production of goods and profits would create a radical and meaningful shift in the notion of "work." Under his guidance, small businesses began to take root along with Yogi Tea. Golden Temple (bulk granolas), Peace Cereal (packaged cereals), Wha



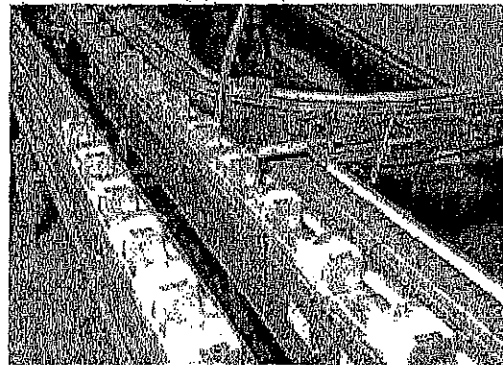
Guru Chew (candy bars), Herbal Gems (capsulated herb formulas), Sunshine (body care products) and Soothing Touch (professional massage products), were some of the companies founded during this period.

In 1991 Yogi Tea introduced the first Healing Formula teas. This line of medicinal teas was designed to address specific health needs using highly specialized herbal formulas created by Yogi Bhajan and his team of herbal experts. That same year, our company made a conscious decision to use organic ingredients in Yogi Tea in order to provide

Yogi Tea's first 6 Exotic Teas

the highest quality and best tasting teas we could.

Our teas have continued to evolve, meeting the ever-changing needs of the customer. Today Yogi Tea makes a rich beverage line of 9 **Exotic Teas** from all over the world that include the original spice formula, now called Classic India Spice. Our line of **Healing Formulas** has been expanded to 30 specialized blends to effectively answer a wide range of specific healing need, with 5 **Woman's Healing Formulas** specially created for female comfort and relief. Our 3 **Simply Green Teas** and 6 **Green Tea Healing Formulas**



Our manufacturing facility in Eugene, Oregon

offer the healthful qualities of green tea in a non-bitter blend of the finest organic green teas. Our 2 **Tea Latte** concentrates in aseptic packs are as convenient as they are delicious. Finally, a line of 3 **Organic Chais** gives our customers the chance to taste the authentic enchanting flavors of India and the Far East. With more than 40 teas to choose from, Yogi Tea has a tea for every need and every season.

Organic Ingredients, Ayurvedic wisdom and modern knowledge are incorporated into every product we develop at our own modern manufacturing facility in Eugene, Oregon. We are committed to applying our yogic lifestyle to our businesses, honoring diversity and the need for individuals to grow in social and spiritual ways. Yogi Tea along with our sister companies, Golden Temple, Peace Cereal, Wha Guru Chew, Sunshine Spa, Herbal Gems and Soothing Touch is dedicated to providing the finest products possible to support the health and well-being of our customers.

Yogi Tea

Savor the Journey

Discover
the
benefits of a
natural lifestyle
with delicious
Yogi Tea.

☒ OrganicSpiceTEa

☒ OrganicSpiceTEa

☒ OrganicSpiceTEa

*The Law of Communication: Say it
straight, simple and with a smile.*
—Yogi Bhajan

Meditation for Gratitude

Fill your heart with
compassion and gratitude by
practicing this simple
meditation. Begin by inhaling
deeply through the nose and
exhaling completely through
the mouth; then, inhale
through the mouth and exhale
completely through the nose.
As you proceed, meditate on
the mantra **Saat Naam** (True
Identity).

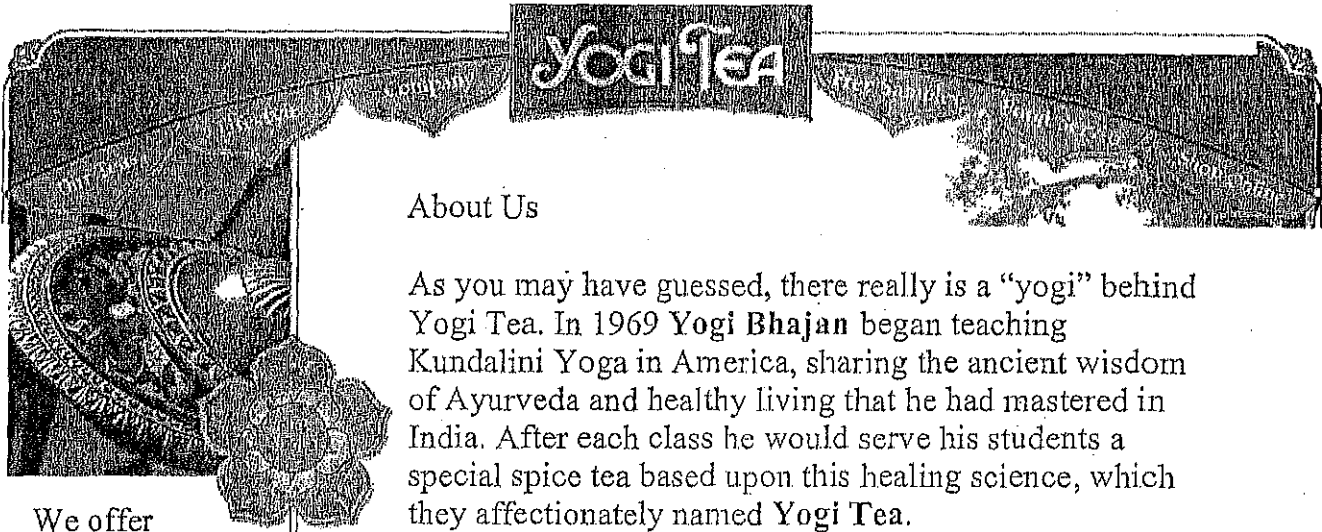
Test Your Knowledge

Which of the
following is a
non-caloric
alternative to
refined sugar?

- ☐ Fruit Juice
Concentrate
- ☐ Honey
- ☐ Stevia
- ☐ Fructose
- ☐ Turbinado
Sugar

Privacy Policy • Disclaimer • ©2004 Yogi Tea. All Rights Reserved.

submit



About Us

We offer uplifting teas and are committed to the organic way of life.

As you may have guessed, there really is a "yogi" behind Yogi Tea. In 1969 **Yogi Bhajan** began teaching Kundalini Yoga in America, sharing the ancient wisdom of Ayurveda and healthy living that he had mastered in India. After each class he would serve his students a special spice tea based upon this healing science, which they affectionately named **Yogi Tea**.

Soon, Yogi Bhajan's students opened **Golden Temple Vegetarian Restaurants** in the US, Canada, and Europe. The delicious, rich and spicy aroma of Yogi Tea brewing permeated the environment and every customer who enjoyed the tea wanted to make their own cup of Yogi Tea at home. Through these Golden Temple restaurants, the first batches of Yogi Tea were sold to the public. In 1984 this grassroots endeavor blossomed into **The Yogi Tea Company** and Yogi Tea began to appear on Natural Foods Store shelves throughout the country.

☒ Yogi Tea - the purveyor of healing teas made with organic herbs and green tea

Yogi Bhajan, the "yogi" behind Yogi Tea

Yogi Bhajan taught that businesses based on respect for the divinity in all beings could lead to real and lasting change. Developing work environments that focused on the growth of each individual's potential as much as on production of goods and profits would create a radical and meaningful shift in the notion of "work." Under his guidance, small businesses began to take root along with Yogi Tea. Golden Temple (bulk granolas), Peace Cereal (packaged cereals), Wha Guru Chew (candy bars), Herbal Gems (capsulated herb formulas), Sunshine (body care products) and Soothing Touch (professional massage products), were some of the companies founded during

this period.

☒ We carry a full line of herbal teas

In 1991 Yogi Tea introduced the first Healing Formula teas. This line of medicinal teas was designed to address specific health needs using highly specialized herbal formulas created by Yogi Bhajan and his team of herbal experts. That same year, our company made a conscious decision to use organic ingredients in Yogi

Yogi Tea's first 6 Exotic Teas

Tea in order to provide the highest quality and best tasting teas we could.

Our teas have continued to evolve, meeting the ever-changing needs of the customer. Today Yogi Tea makes a rich beverage line of 9 Exotic Teas from all over the world that include the original spice formula, now called Classic India Spice. Our line of **Healing Formulas** is comprised of 33 specialized blends to effectively answer a wide range of specific healing needs, with 5 **Woman's Healing Formulas** specially created for female comfort and relief, and 6 **Green Tea Healing Formulas** that offer the antioxidant power of green tea with other effective healing herbs. Our 5 **Green Teas** offer the healthful qualities of green tea in a tasty blend of the finest organic green teas. Finally, a line of 3 **Organic Chai** gives our customers the chance to taste the authentic enchanting flavors of India and the Far East. With more than 50 teas to choose from, Yogi Tea has a tea for every need and every season.

Organic ingredients, Ayurvedic wisdom and modern knowledge are incorporated into every product we develop at our own modern manufacturing facility in Eugene, Oregon. We are committed to applying our yogic lifestyle to our businesses, honoring diversity and the need for individuals to grow in social

☒ Our tea company takes pride in the organic quality herbs we use in our herbal teas

Our manufacturing facility in Eugene, Oregon

and spiritual ways. Yogi Tea along with our sister companies, Golden Temple, Peace Cereal, Wha Guru Chew, Sunshine Spa, Herbal Gems and Soothing Touch is dedicated to providing the finest products possible to support the health and well-being of our customers.

Yogi Tea Philosophy

Create yogically inspired quality herbal teas that balance and heal.

Support the health and future of the planet by using organic ingredients and recycled materials.

Share the knowledge with our customers and inspire them to become healthier and happier.

Develop a conscious working atmosphere where each individual can develop his or her creative potential in order to enhance the prosperity of the company and achieve personal fulfillment and satisfaction.



About Us



Organic Care



Golden Temple



Contact Us

Privacy Policy • Disclaimer • ©2004 Yogi Tea. All Rights Reserved.

yogitea.com

YOGI TEA

Savor the Journey

Discover the benefits of a natural lifestyle with delicious Yogi Tea.

☒ Seasonal Support

☒ Introduction to Ayurveda

☒ Benefits of Organic Green Tea

☒ Organic Yogi Tea

Conquer your subconscious mind, and win the world. —Yogi Bhaajan

Meditation for Gratitude
Fill your heart with compassion and gratitude by practicing this simple meditation. Begin by inhaling deeply through the nose and exhaling completely through the mouth; then, inhale through the mouth and exhale completely through the nose. As you proceed, meditate on the mantra Saat Naam (True Identity).

Test Your Knowledge
Which of the following is a non-caloric alternative to refined sugar?

☐ Fruit Juice Concentrate

☐ Honey

☐ Stevia

☐ Fructose

☐ Turbinado Sugar

Privacy Policy • Disclaimer • ©2006 Yogi Tea. All Rights Reserved.

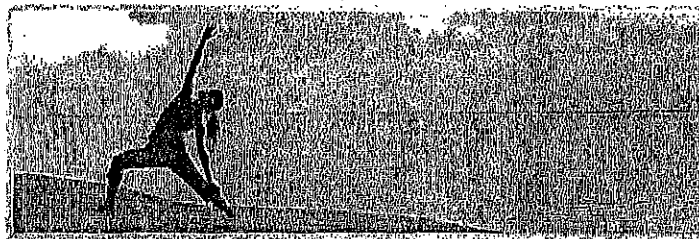
Yogi™ teas and cereals are created with purpose, using masterfully blended ingredients that support your mind, body and spirit. Our philosophy is rooted in Ayurveda, which combines natural therapies with a balanced approach to overall health and well-being. We invite you to experience all that Yogi has to offer and achieve balance and joy in every aspect of your life.

About Yogi

Golden Temple

Yogi Commitment

Press Room



Yogi™ creates teas and cereals with mood, flavor and purpose. We invite you to explore our teas and cereals and get inspired.

Our story begins in 1969 when Yogi Bhajan, an inspired and inspiring teacher of holistic living, started teaching yoga in America. He shared the wisdom and knowledge of Ayurveda and healthy living that he had mastered in India with his students while serving a specially spiced tea, which they affectionately named "Yogi Tea." The recipe contained five traditional Ayurvedic spices: cardamom seed, cinnamon bark, clove bud, ginger root and black pepper. When blended and brewed, these delicious spices leave you feeling vibrant and alive, while boosting overall well-being. Intrigued by the complex flavor and inherent health benefits of this unique combination of spices, it wasn't long before several of the yogi's students were inspired to brew their own "Yogi Tea."

In 1984 this grassroots endeavor blossomed into the Yogi Tea Company. Packages of the rough, dried spices began to appear in natural foods stores throughout Southern California. As demand increased, the spices were more finely ground, packaged and sealed into individual tea bags. By 1986, Yogi Tea was distributed nationwide in three flavors.

Yogi has continued to expand and evolve our tea offerings to address specific health needs by creating specialized herbal formulas, blended for both flavor and purpose. Today, Yogi has nearly 60 tea blends, many of which are created using the five original Yogi spices.

Yogi's expertise in sensual well-being has inspired our newest offering, Yogi cereals. As with our teas, Yogi cereals are created with purpose and blended to enhance the health of mind, body and spirit, while enlivening your senses with delightful flavors.

Whether you need to jump start the day, recover from physical activity, calm your mind and clarify thoughts, or revive the spirit and reflect, there's a Yogi tea or cereal to meet your specific needs.

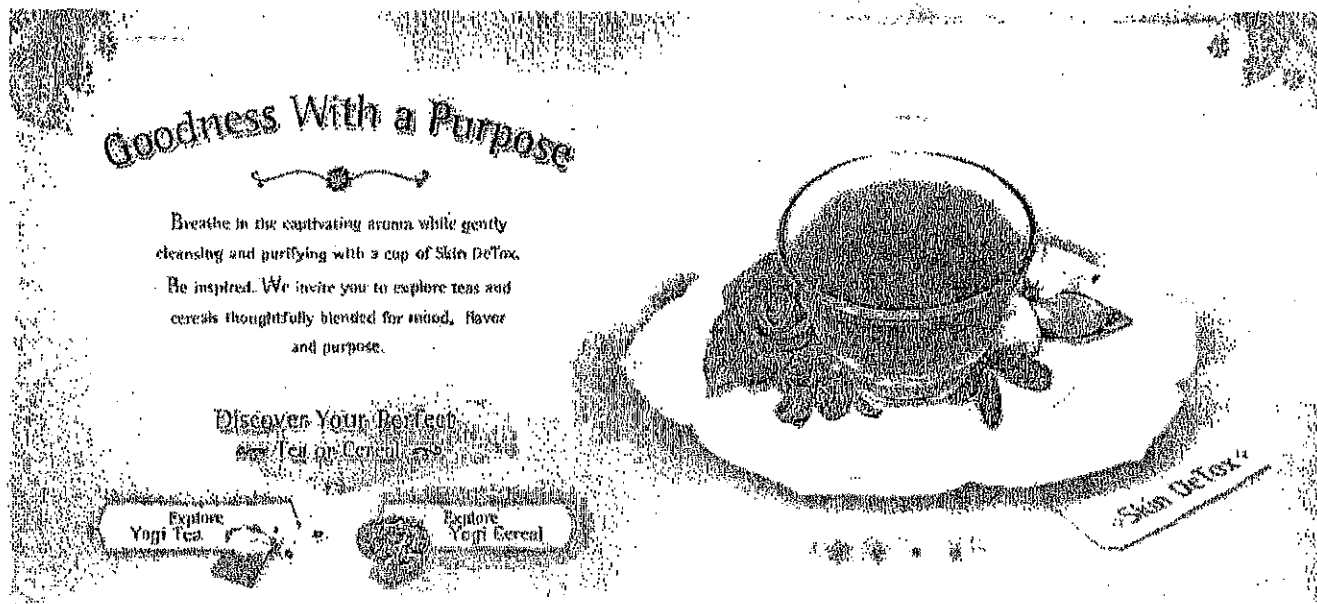
The holistic teachings of Ayurveda and healthy living are the inspiration behind Yogi. These teachings continue to inform how we develop our products, and we honor and reflect them through the Yogi Principles.

Yogi Principles

- Tasting great is essential, but it isn't enough. If what we make doesn't taste great and leave you feeling great, we won't make it.
- We think before we blend or bake. How will our recipes work with body and mind?
- Health is found in nature. We work with what nature already offers rather than trying to concoct it. We don't have laboratories, we have kitchens.
- Creative combinations can optimize what nature has to offer. Ever added Goji Berry to Ginger? They work together to produce a remarkably fresh and innovative taste... and a remarkable level of energy.
- Whenever possible, we work with wholes, not parts. We don't add vitamin C. We add Indian

Gooseberry, which is naturally rich in vitamin C.

Site Locator . Shop Online . Newsletter Signup . Contact Us
Copyright © 2009 Yogi™ . Privacy Policy . Disclaimer



**United States Patent and Trademark Office**[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Trademarks > Trademark Electronic Search System (TESS)***TESS was last updated on Sat Jan 30 04:00:03 EST 2010*[TESS Home](#) [New User](#) [Structure](#) [Free Form](#) [Priority](#) [Search OG](#) [Button](#) [Help](#) [Prev List](#) [Curr List](#)
[Next List](#) [First Doc](#) [Prev Doc](#) [Next Doc](#) [Last Doc](#)[Logout](#) Please logout when you are done to release system resources allocated for you.[Start](#) List
At:OR [Jump](#) to
record:**Record 9 out of
79**[TABS Status](#) [Assign Status](#) [TOR](#) [TTAB Status](#) (Use the "Back" button of
the Internet Browser to return to TESS)**YOGI**

Word Mark	YOGI
Goods and Services	IC 030. US 046. G & S: Granola; granola snacks; granola-based snack bars; ready to eat, cereal-derived food bars
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77889992
Filing Date	December 9, 2009
Current Filing	



Basis 1B

Original Filing Basis 1B

Basis

Owner (APPLICANT) Golden Temple of Oregon, LLC LIMITED
LIABILITY COMPANY OREGON 2545 Prairie Road Eugene
OREGON 97402

Attorney of Record Parna A. Mehrbani

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

TESS HOME NEW USER STRUCTURED FREE FORM KNOWLEDGE SEARCH OG Top HELP Prev List CURR LIST
Next List First Doc Prev Doc Next Doc Last Doc

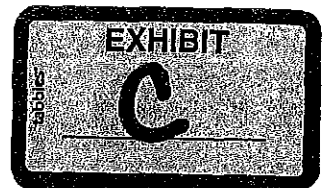
| HOME | SITE INDEX | SEARCH | eBUSINESS | HELP | PRIVACY POLICY

**United States Patent and Trademark Office**[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Trademarks > Trademark Electronic Search System (TESS)**

TESS was last updated on Sat Jan 30 04:00:03 EST 2010

[TESS Home](#) [Pay/Del](#) [Structure](#) [File Form](#) [Browser Help](#) [SEARCH OG](#) [History](#) [HELP](#) [Print List](#) [Curt List](#)
[New List](#) [Print Doc](#) [Print Doc](#) [New Doc](#) [List Doc](#)[Logout](#) Please logout when you are done to release system resources allocated for you.[Start](#) List
At:OR [Jump](#) to
record:**Record 10 out of
71**[TARR Status](#) [Assign Status](#) [TDR](#) [TTAB Status](#) (Use the "Back" button of
the Internet Browser to return to TESS)**YOGI**

Word Mark	YOGI
Goods and Services	IC 030. US 046. G & S: processed cereal-based food to be used as a breakfast food, snack food, or ingredient for making other foods
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77636305
Filing Date	December 18, 2008



Current Filing
Basis 1B

Original Filing
Basis 1B

Owner (APPLICANT) Golden Temple of Oregon, LLC LIMITED
LIABILITY COMPANY OREGON 2545 Prairie Road Eugene
OREGON 97402

Attorney of Record Parna A. Mehrbani

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead
Indicator LIVE

TESS HOME	NEW USER	STATUS INFO	FILED FORM	REGISTER INFO	SEARCH LOG	LOG	HELP	PREV LIST	CHRG LIST
Next List	First Doc	Prev Doc	Next Doc	Last Doc					

| HOME | SITE INDEX | SEARCH | eBUSINESS | HELP | PRIVACY POLICY

**United States Patent and Trademark Office**[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Trademarks > Trademark Electronic Search System (TESS)**

TESS was last updated on Sat Jan 30 04:00:03 EST 2010

[TESS Home](#) [New User](#) [Instructions](#) [First Form](#) [Second Form](#) [SEARCH OC](#) [Bottom](#) [Help](#) [Prev List](#) [Curr List](#)
[Next List](#) [Prev Doc](#) [Prev Doc](#) [Next Doc](#) [Last Doc](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

[Start](#) List
At:

OR [Jump](#) to
record:

**Record 11 out of
71**

[TMR Status](#) [ASSIGN Status](#) [TDR](#) [TTAB Status](#) (Use the "Back" button of
the Internet Browser to return to TESS)

YOGI

Word Mark YOGI
Goods and Services IC 030, US 046, G & S: Tea and ready-to-drink tea. FIRST USE: 20081226, FIRST USE IN COMMERCE: 20081226
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 77423965
Filing Date March 17, 2008
Current Filing Basis 1A
Original Filing 1B



Basis

Published for
Opposition July 1, 2008

Registration
Number 3607292

Registration Date April 14, 2009

Owner (REGISTRANT) Golden Temple of Oregon, LLC LIMITED
LIABILITY COMPANY OREGON 2545 Prairie Road Eugene
OREGON 97402

Attorney of Record Parna A. Mehrbani

Prior Registrations 1980514

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE



[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

Home | Site Index | Search | FAQ | Glossary | Guides | Contacts | eBusiness | eBiz
alerts | News | Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Sat Jan 30 04:00:03 EST 2010

TESS Home New User Structured Entry Form Knowledge SEARCH OG Bottom HELP Patent List Current List
Next List First Doc Prev Doc Next Doc Last Doc

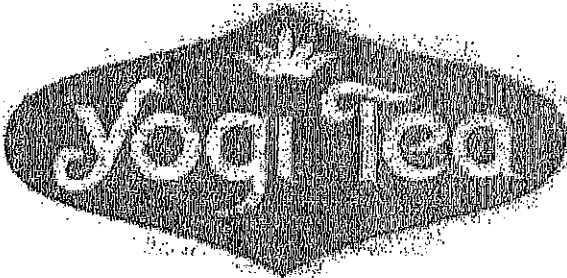
Logout: Please logout when you are done to release system resources allocated for you.

Start List
At:

OR **Jump** to
record:

**Record 14 out of
71**

TARR Status **ASSIGN Status** **TDR** **TTAB Status** (Use the "Back" button of
the Internet Browser to return to TESS)



Word Mark	YOGI TEA
Goods and Services	IC 030, US 046. G & S: Tea. FIRST USE: 20070309. FIRST USE IN COMMERCE: 20070409.
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design	05.05.06 - Lotus flower
Search Code	26.07.21 - Diamonds that are completely or partially shaded 26.07.28 - Diamond shapes (miscellaneous overall shape); Miscellaneous designs with overall diamond shape, including letters forming or comprising a diamond



Trademark Search Facility Classification Code SHAPES-COLORS-2 Design listing or lined for two colors
SHAPES-MISC Miscellaneous shaped designs
Serial Number 77282834
Filing Date September 18, 2007
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition March 11, 2008
Registration Number 3435101
Registration Date May 27, 2008
Owner (REGISTRANT) Golden Temple of Oregon, LLC LTD LIAB CO
OREGON 2545 Prairie Road Eugene OREGON 97402
Attorney of Record Michael A. Cohen
Prior Registrations 1980514
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TEA"
APART FROM THE MARK AS SHOWN
Description of Mark The color(s) brown and white is/are claimed as a feature of the mark.
The mark consists of the stylized words "YOGI TEA" in the color white,
with the design of a lotus flower in the color white above the "I" in the
word "YOGI"; the surrounding background is a gradient of the color
brown which is curved on the right and left edges and pointed at the top
and bottom edges.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [ADVANCED](#) [SEARCH LOG](#) [TOP](#) [HELP](#) [PRIVACY](#) [CONTACT](#)
[New User](#) [Privacy Doc](#) [Privacy Doc](#) [Privacy Doc](#) [Last Doc](#)

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [BUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Feb 3 04:02:09 EST 2010

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#) (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark	YOGI TEA
Goods and Services	IC 030, US 046, G & S: tea, FIRST USE: 19830308, FIRST USE IN COMMERCE: 19830308
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74678588
Filing Date	September 26, 1994
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	March 28, 1996
Registration Number	1980614
Registration Date	June 18, 1996
Owner	(REGISTRANT) Yogi G, Inc. DBA The Yogi Tea Company CORPORATION CALIFORNIA 2445 PRAIRIE ROAD EUGENE OREGON 97402 (LAST LISTED OWNER) Golden Temple of Oregon, Inc. CORPORATION OREGON 2545 Prairie Road Eugene OREGON 97402
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Michael A. Cohen
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TEA" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15, SECT 8 (6-YR), SECTION 8(10-YR) 20060928.
Renewal	1ST RENEWAL 20060928
Live/Dead Indicator	LIVE

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge John F. Walter and the assigned discovery Magistrate Judge is Victor B. Kenton.

The case number on all documents filed with the Court should read as follows:

CV10- 882 JFW (VBKx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Surjit P. Soni (SBN 127419)
 M. Danton Richardson (SBN 141709)
 Leo E. Lundberg, Jr. (SBN 125951)
 THE SONI LAW FIRM
 35 N. Lake Ave., Suite 720
 Pasadena, CA 91101 Tel: (626) 683-1199

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

BIBIJI INDERJIT KAUR PURI, an individual,

CASE NUMBER

PLAINTIFF(S)

v.

GOLDEN TEMPLE OF OREGON, LLC, an Oregon
 Limited Liability Corporation; DOES 1 through 10,

DEFENDANT(S).

CV10-882 JFW (VBK)

SUMMONS

TO: DEFENDANT(S): GOLDEN TEMPLE OF OREGON, LLC, an Oregon Limited Liability Corporation;
DOES 1 through 10

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Surjit P. Soni, whose address is 35 N. Lake Ave., Suite 720, Pasadena, CA 91101. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: 2/5/10

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/> BIBIJI INDERJIT KAUR PURI, an individual	DEFENDANTS GOLDEN TEMPLE OF OREGON, LLC, an Oregon Limited Liability Corporation; DOES 1 through 10
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) THE SONI LAW FIRM 35 N. Lake Ave., Suite 720 Pasadena, CA 91101 Tel: (626) 683-7600	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%; border: none;">Citizen of This State</td> <td style="width:10%; border: none;">PTF</td> <td style="width:10%; border: none;">DEF</td> <td style="width:40%; border: none;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%; border: none;">PTF</td> <td style="width:10%; border: none;">DEF</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> <tr> <td style="border: none;">Citizen of Another State</td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Incorporated and Principal Place of Business in Another State</td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> <tr> <td style="border: none;">Citizen or Subject of a Foreign Country</td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;">Foreign Nation</td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table>	Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Citizen of Another State	<input type="checkbox"/>	<input type="checkbox"/>	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Citizen or Subject of a Foreign Country	<input type="checkbox"/>	<input type="checkbox"/>	Foreign Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF																																
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																
Citizen of Another State	<input type="checkbox"/>	<input type="checkbox"/>	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/>	<input type="checkbox"/>																																
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																
Citizen or Subject of a Foreign Country	<input type="checkbox"/>	<input type="checkbox"/>	Foreign Nation	<input type="checkbox"/>	<input type="checkbox"/>																																
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																

IV. ORIGIN (Place an X in one box only.)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify):	<input type="checkbox"/> 6 Multi-District Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
---	---	--	---	---	--	---

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 15 U.S.C. Section 1051 et seq. - Trademark Infringement; 15 U.S.C. Section 1125(a) - False Designation of Origin; 15 U.S.C. Section 1119 - Determination of Rights

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
---	--	--	---	---	--

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
 If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
 If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Oregon

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.
 Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____

Date

2/5/10

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSJ	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))